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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/648,548	
	Filing Date	August 25, 2003	
	First Named Inventor	David H. Small	
	Art Unit	1645	
	Examiner Name	Patricia Duffy, Ph.D.	
Total Number of Pages in This Submission	16	Attorney Docket Number	104664-50037

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): 1) Power of Attorney and Correspondence Address Indication Form 2) Statement Under 37 (SB/96) 3) Copy of Assignments 4) Return Receipt Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	R. Hain Swope, Esq.; Registration No.: 24,864 Gibbons, Del Deo, Dolan, Griffinger & Vecchione
Signature	
Date	October 15, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Rosaura Serrano
Signature	
Date	10/15/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



12:38pm From-Gibbons Deldeo Dolan

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T-359 P.006/008 F-262

PTO/SB/81 (09-03)

Approved for use through 11/30/2005. OMB 0551-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/648,548
Filing Date	August 25, 2004
First Named Inventor	David Henry Small
Title	Diagnostic test for Alzheimer's Disease
Art Unit	1645
Examiner Name	Patricia Duffy, Ph.D.
Attorney Docket Number	104664-50037

I hereby appoint:

☒ Practitioners associated with the Customer Number:

26345

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

Address

City

Country

Telephone

State

Zip

Fax

I am the:

☐ Applicant/inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name PROFESSOR EDWINA CORNISH

Signature Edwina Cornish

Date 26 AUGUST 2004

Telephone 99059301

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Aug 20-04

12:38pm

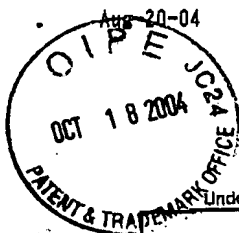
From-Gibbons Deldeo Dolan

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T-359

P.007/008

F-262



PTO/SB/86 (08-03)

Approved for use through 07/31/2008. OMB 0851-0031  
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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Monash University  
Application No./Patent No.: 10/648,548 Filed/Issue Date: August 25, 2004  
Entitled: Diagnostic test for Alzheimer's Disease  
Monash University a University  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: the Inventors To: University of Melbourne, Australia  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: University of Melbourne To: Axonix, Inc. (50% Interest)  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: Axonix, Inc. To: University of Melbourne (50% Interest)  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

26 AUGUST 2004  
Date(03) 99059301

Telephone number

PROFESSOR EDWIN A. CORNISH  
Typed or printed name[Signature]  
SignatureDEPUTY VICE-CHANCELLOR  
Title (RESEARCH)

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Monash University

Application No./Patent No.: 10/648,548 Filed/Issue Date: August 25, 2004

Entitled: Diagnostic test for Alzheimer's Disease

Monash University, a University

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

**SUPPLEMENTAL SHEET**

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

4. From: University of Melbourne To: Monash University

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**ASSIGNMENT**

For value received, we **DAVID HENRY SMALL** of Ashburton, Victoria, Australia, having an address of 35 Munro Avenue, Ashburton, Victoria 3147 AUSTRALIA, and **JAVIER SAEZ-VALERO** of Elche Spain, having an address of C/ Ayora 3, 2° pta. E, Elche 03203 (Alicante) SPAIN hereby sell, assign and transfer to the **UNIVERSITY OF MELBOURNE** of Melbourne, Australia, having an address of Victoria 3010 AUSTRALIA, and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to

**DIAGNOSTIC TEST FOR ALZHEIMER'S DISEASE**

described in a United States application for Letters Patent that was filed on April 7, 2000 and assigned an Application Number of 60/195,231, and all of the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to **UNIVERSITY OF MELBOURNE** the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize **UNIVERSITY OF MELBOURNE** to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of **UNIVERSITY OF MELBOURNE** to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to **UNIVERSITY OF MELBOURNE** in the United States and to **UNIVERSITY OF MELBOURNE** in all countries foreign to the United States, or to such nominees as it may designate.

We agree that, when requested, we shall, without charge to **UNIVERSITY OF MELBOURNE** but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents or other forms of protection.

IN WITNESS WHEREOF, We have hereunto signed our names on the  
20 day of June, 2000.

Margaret Ayres  
Witness

David Henry Small  
David Henry Small

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Javier Saez-Valero

**ASSIGNMENT**

For value received, we **DAVID HENRY SMALL** of Ashburton, Victoria, Australia, having an address of 35 Munro Avenue, Ashburton, Victoria 3147 AUSTRALIA, and **JAVIER SAEZ-VALERO** of Elche Spain, having an address of C/ Ayora 3, 2° pta. E, Elche 03203 (Alicante) SPAIN hereby sell, assign and transfer to the **UNIVERSITY OF MELBOURNE** of Melbourne, Australia, having an address of Victoria 3010 AUSTRALIA, and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to

**DIAGNOSTIC TEST FOR ALZHEIMER'S DISEASE**

described in a United States application for Letters Patent that was filed on April 7, 2000 and assigned an Application Number of 60/195,231, and all of the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to **UNIVERSITY OF MELBOURNE** the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize **UNIVERSITY OF MELBOURNE** to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

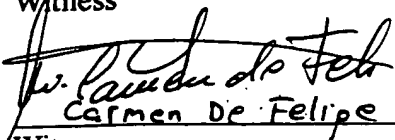
We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of **UNIVERSITY OF MELBOURNE** to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to **UNIVERSITY OF MELBOURNE** in the United States and to **UNIVERSITY OF MELBOURNE** in all countries foreign to the United States, or to such nominees as it may designate.

We agree that, when requested, we shall, without charge to **UNIVERSITY OF MELBOURNE** but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents or other forms of protection.

IN WITNESS WHEREOF, We have hereunto signed our names on the  
21 day of June, 2000.

Witness

  
Carmen De Felipe

Witness

David Henry Small



Javier Saez-Valero



## CONFIRMATORY ASSIGNMENT I

This Assignment is made effective on 1 April 2001 between the University of Melbourne, having an address of Victoria 3010 Australia and having a place of business at Grattan Street, Parkville, Victoria 3052, Australia (hereinafter referred to as the "Assignor") and the Axonyx, Inc., a corporation incorporated in the State of New York, having an office at 825 Third Avenue, New York, New York 10022 (hereinafter referred to as the "Assignee").

### WHEREAS:

The Assignor was the registered proprietor of the invention described and/or claimed in United States Provisional Patent Application 60/195,231 entitled DIAGNOSTIC TEST FOR ALZHEIMER'S DISEASE as a result of Assignments dated June 20, 2000 and June 21, 2000 and which is the subject of this Assignment.

On 1 April 2001 Assignee was desirous of acquiring and Assignor agreed to assign a 50% share in the property.

The Parties hereto had agreed as of April 1, 2001 that fifty percent 50% of the entire right, title and interest in all inventions described and/or claimed in United States Provisional Patent Application 60/195,231 ("Subject Inventions") including the right to claim priority and the right to any corresponding national or international patent applications filed thereon which claims priority based upon Provisional Patent Application 60/195,231, which applications include United States Patent Application 09/829,446 and International Patent Application PCT/US01/11654 both filed 9 April 2001 and to any and all patents that may be granted thereon and any and all reissues and extensions of such patents should be transferred by the Assignor to the Assignee on the terms set forth herein.

Assignor acknowledges and concurs with the fact that Assignee caused International Application No. PCT/US01/11654 to be filed on the Subject Invention in Assignee's sole name on 9 April 2001 and that Assignee caused Assignor to be added as an applicant in said International Application September 30, 2002.

As part of the agreement between the parties made effective on 1 April 2001 the assignment included the following terms:

- 1) It was agreed that effective 1 April 2001 (pursuant to the foregoing and in consideration of \$1 and for other good and valuable consideration the receipt and sufficiency of which is acknowledged), the Assignor as proprietor assigned, transferred and set over to the Assignee, effective as of 1 April 2001, fifty percent (50%) of all Assignor's rights, title and interest in the Subject Invention.
- 2) It was agreed that the Assignor undertakes at the expense of the Assignee to execute all documents that may be required in order to confer fifty percent (50%)

of all its rights, title and interest in the subject invention and the patent application derived therefrom to the Assignee.

- 3) It was also agreed that effective 1 April 2001 the Assignor authorised the Assignee to make and file all patent applications for the Subject Invention for such protection in Assignee's own name and maintain such protection in any and all countries foreign to the United States including said International PCT/US01/11654 Application and to invoke and claim for any such application for patent or other form of protection for said Subject Inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

IN WITNESS WHEREOF this document is executed to provide written confirmation of the terms agreed between the parties and made effective on 1 April 2001 for and on behalf of the University of Melbourne in the presence of a notary.

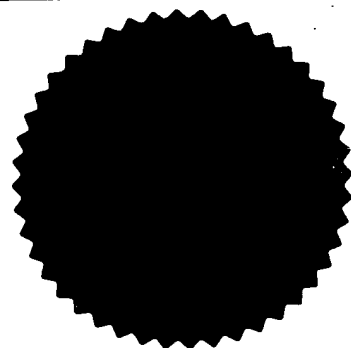
Signed at Melbourne  
Date: 11 June 2004

by: [Signature]  
Name: Michael Francis Gerard Dean  
Title: Intellectual Property Officer

ATTEST: VINCENT JOSEPH FULIANO  
Name:

On this 11<sup>th</sup> day of June, 2004, before me, a notary public, personally appeared MICHAEL FRANCIS GERARD DEAN who, being by me duly sworn under oath did say that he is empowered and authorized to sign on behalf of the University of Melbourne.

[Signature]  
Notary Public



Acknowledgment of Acceptance:

The Assignee, Axonyx, Inc., hereby acknowledges that it had accepted, effective as of 1 April 2001, the assignment of fifty percent of all right, title and interest in the above-named patent application from the University of Melbourne, and in and to any and all patents that may be granted thereon and any and all reissues and extensions of such patents.

Signed at New York, New York

Date: Sept. 20, 2004

For and on behalf of Gosse B. Bruinsma MD  
Axonyx, Inc. President & COO

Axonyx Inc.

By: [Signature] Axonyx Europe

Name: Middelstegegracht 87H

Title: 2312 TT LEIDEN

The Netherlands

United States of America )

State of New York )

County of New York )

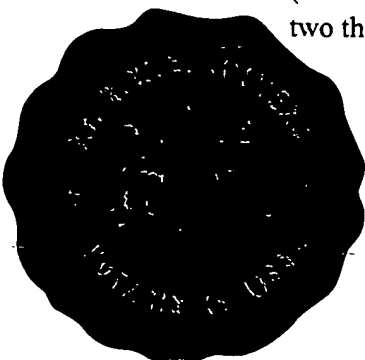
ss.:

On this \_\_\_\_ day of \_\_\_\_\_, 2004, before me, a notary public, personally appeared \_\_\_\_\_, who, being by me duly sworn under oath did say that he is empowered and authorized to sign the foregoing instrument on behalf of Axonyx, Inc. and acknowledged execution of the same.

\_\_\_\_\_  
Notary Public

Seen for legalisation of the signature of mr. Gosse  
Bote Bruinsma, residing at (2311 XD) Leiden  
(The Netherlands), Bilderdijkstraat 9, date of birth the  
twenty-ninth day of October nineteen hundred and  
fifty-four at Thessalon (Canada), by me mr. Rob  
Willem Boudewijn Timmers, civil-law notary  
according to Dutch law, practising at Lisse  
(The Netherlands) on the twentieth day of September  
two thousand and four.

4780495 v1  
104664-30037



[Signature]

## PATENT ASSIGNMENT II

This Assignment is made effective on 1 October 2002 between **Axonyx, Inc.**, a corporation incorporated in the State of New York, having an office at 825 Third Avenue, New York, New York 10022 (hereinafter referred to as the "Assignor"). and the **University of Melbourne**, having an address of Victoria 3010 Australia and having a place of business at Grattan Street, Parkville, Victoria 3052, Australia (hereinafter referred to as the "Assignee").

## WHEREAS:

By assignments dated June 20, 2000 and June 21, 2000, all rights, title and interest to the invention described and claimed in US Provisional Application 60/195,231, **DIAGNOSTIC TEST FOR ALZHEIMER'S DISEASE** and US Patent Application 09/829,446, **DIAGNOSTIC TEST FOR ALZHEIMER'S DISEASE** (hereinafter "Subject Applications") including the rights, title and interest to all applications in throughout the world claiming the priority of one or more subject Applications such as International Application PCT/US01/11654, were assigned to the Assignee, the University of Melbourne.

## WHEREAS:

By an assignment dated April 1, 2001, the Assignee, the University of Melbourne, assigned fifty percent (50%) of all of the rights, title and interest assigned above, to Assignor Axonyx, Inc. in the Assignment dated June 20, 2000 and June 21, 2000.

## WHEREAS:

The Assignor, Axonyx, Inc., now wishes to assign all of its right, title and interest back to the Assignee, the University of Melbourne, and the Assignee, the University of Melbourne, is willing to accept this Assignment.

NOW THIS ASSIGNMENT WITNESSETH as follows:

- 1) In pursuance of this Assignment and for good and valuable consideration paid by the Assignee to the Assignor, the receipt of which is hereby acknowledged, the Assignor effective as of 1 October 2002, assigns all its rights, title and interest in the Subject application, the Assignee, the University of Melbourne.
- 2) The Assignor hereby undertakes at the expense of the Assignee to execute all documents that may be required in order of all its rights, title and interest in the subject invention and the patent application derived therefrom to the Assignee.
- 3) The Assignor hereby authorizes the Assignee to make all patent applications for the subject invention for such protection in its own name and maintain such protection in any and all countries foreign to the United States including said International PCT Application and to invoke and claim for any such application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

4) This Assignment shall be interpreted according to the laws of the State of New Jersey.

IN WITNESS WHEREOF these presents are executed with effect from 1 October 2002 for and on behalf of the Axonyx, Inc. in the presence of a notary.

Signed at Seattle, Washington  
Date: November 6, 2002

For and on behalf of  
Axonyx, Inc.

By: Michael R. Epp

Name: Michael R. Epp

Title: Vice President & General Counsel

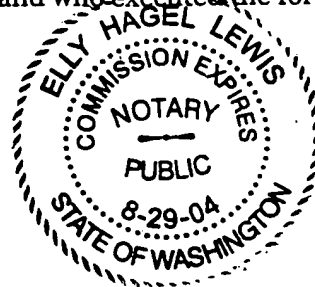
United States of America )

State of Washington ) ss.:

County of King )

On this 6th day of November, 20 02, before me personally came Michael Epp, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Elly Hagel Lewis  
Exp. 8-29-04  
Notary Public



Acceptance and Acknowledgment:

The Assignee, the University of Melbourne, hereby accepts the assignment of fifty percent of all right, title and interest in the above-named patent application, and in and to any and all patents that may be granted thereon and any and all reissues and extensions of such patents.

Signed at Carlton Date: August 7th 2003

By: [Signature]

Name:

Title:

MFG Dean

Intellectual Property Officer  
The University of Melbourne

ATTEST:

Name: VINCENT J. LARRO Level 2 - 19/21 BRADLEY PLACE SOUTH,  
CARLTON

On this 7th day of August, 2003, before me, a notary public, personally appeared MFG DEAN, who, being by me duly sworn under oath did say that he is empowered and authorized to sign on behalf of the University of Melbourne.

[Signature]

Notary Public

**DEED OF ASSIGNMENT**  
**PATENTS AND PATENT APPLICATIONS**

This Deed of Assignment is made the 15<sup>th</sup> day of JUNE 2004.

**BETWEEN**

**THE UNIVERSITY OF MELBOURNE**, Grattan Street, Parkville 3052, Victoria, Australia (the "Assignor")

and

**MONASH UNIVERSITY**, Wellington Road, Clayton 3800, Victoria, Australia (the "Assignee")

**BACKGROUND**

- A. The Assignor is the proprietor of the patents and patent applications set out in the Schedule (the "Patent Property"), and the inventions the subject of these.
- B. The Assignor and the Assignee have entered into an agreement whereby the Assignee has agreed to make certain payments to the Assignor's creditors.
- C. In consideration of the Assignee's payment of certain amounts to creditors of the Assignor, and for other good and valuable consideration, the Assignor has agreed to assign the Patent Property to the Assignee on the terms of this Deed.

**IT IS NOW AGREED AS FOLLOWS:**

- 1. In consideration of the sum of the payment made by the Assignee in accordance with clause 4.1 of the said Agreement and of the contingent payment referred to in section 4.2 of the said Agreement, the Assignor HEREBY ASSIGNS to the Assignee:
  - 1.1 all right, title and interest in and to the Patent Property and to the inventions the subject of the Patent Property;
  - 1.2 all equivalent, divisional and continuation applications relating to or arising out of the Patent Property (including any national phase entries arising from the European and Patent Co-operation Treaty patent applications within the Patent Property); and the right to file equivalent, divisional or continuation applications on it.
- 2. The rights assigned in Clause 1 above include the right to take action in respect of any infringement of any patents within the Patent Property, or of any patents that may be granted on the applications within the Patent Property, which may have occurred prior to the date of this Deed.
- 3. Each party agrees (at its own cost unless otherwise agreed) to execute all documents and do all further acts as reasonably required from time to time by the other party to give full effect to the provisions of this Deed.
- 4. This Deed shall be governed by and construed in accordance with the laws of the State of Victoria in the Commonwealth of Australia.
- 5. Several copies of this Assignment may be executed by the parties, each of which shall be deemed to be an original which may be relied upon by either of the parties for any purpose.

The parties have shown their acceptance of the terms of this Deed by executing it below.

**Schedule**

**The Patent Property**

**Patent Applications**

<b>Country</b>	<b>Number</b>	<b>Title</b>
Australia	2001259046	Diagnostic Test for Alzheimer's Disease
Japan	2001-575224	Diagnostic Test for Alzheimer's Disease
Brazil	PI-0109915-9	Diagnostic Test for Alzheimer's Disease
United States of America	10/648,548	Diagnostic Test for Alzheimer's Disease
United States of America	60/195,231	Diagnostic Test for Alzheimer's Disease
United States of America	09/829,446	Diagnostic Test for Alzheimer's Disease
Canada	2,442,733	Diagnostic Test for Alzheimer's Disease

**SIGNED, SEALED and DELIVERED as a Deed:**

**EXECUTED** on behalf of **THE UNIVERSITY OF MELBOURNE** by the person whose name and signature appears and who warrants he has authority to bind **THE UNIVERSITY OF MELBOURNE** and in the presence of:

Signature

MFG Dear

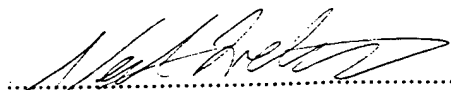
Print name & position

MELBOURNE, VICTORIA

Signed at

11 JUNE 2004

Date



Witness Signature

NEIL IRELAND

Print Witness Name

567 COLLINS ST, MELBOURNE, VICTORIA, AUSTRALIA

Print Witness Address

**EXECUTED** by **MONASH UNIVERSITY** by the person whose name and signature appears and who warrants he has authority to bind **MONASH UNIVERSITY** and in the presence of:

Signature

PROFESSOR EDWINA CORNISH

Print name & position

DEPUTY VICE-CHANCELLOR (RESEARCH)

MELBOURNE, VICTORIA

Signed at

16 JUNE 2004

Date

A. PULCE

Witness Signature

Tracy Taylor

Print Witness Name

Cl Monash University Clayton, Vic 3800

Print Witness Address